

1 Debra I. Grassgreen (CA Bar No. 169978)  
2 Miriam Manning (CA Bar No. 178584)  
3 PACHULSKI STANG ZIEHL & JONES LLP  
4 150 California Street, 15th Floor  
5 San Francisco, CA 94111  
Telephone: (415) 263-7000  
Facsimile: (415) 263-7010  
E-mail: dgrassgreen@pszjlaw.com  
mmanning@pszjlaw.com

6 Attorneys for Defendant  
7 Uber Technologies, Inc.

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9 **UNITED STATES DISTRICT COURT**  
10 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

11 In re:

12 WAYMO LLC,

13 Plaintiff,

14 v.

15 UBER TECHNOLOGIES, INC. AND  
OTTOMOTTO LLC,

16 Defendants.

Case No. 3:17-cv-00939-WHA

17  
18 **DECLARATION OF DEBRA  
GRASSGREEN IN SUPPORT OF  
SEVENTH JOINT STIPULATION  
AND [PROPOSED] ORDER TO  
EXTEND THE DEADLINE UNDER  
PARAGRAPH 15 OF THE INTERIM  
MODEL PROTECTIVE ORDER**

19 I, Debra Grassgreen, hereby declare as follows:

20 1. I am co-counsel to Uber Technologies, Inc. (the "**Defendant**") in the above entitled  
action and have personal knowledge of the facts contained in this Declaration, which are true and  
21 correct, and if sworn as a witness, I could and would testify competently thereto. I am also  
22 bankruptcy counsel to Defendant in the bankruptcy case of *Anthony Levandowski*, Case No. 20-30242  
(HLB) pending in the United States Bankruptcy Court for the Northern District of California (the  
23 "**Bankruptcy Case**") and in the adversary proceeding pending in the Bankruptcy Case: *Anthony  
Levandowski v Uber Technologies, Inc.*, N.D. Cal. Bankr., Adv. Pro. No. 20-03050 (HLB) (the  
24 "**Adversary Proceeding**").

1       2. I submit this declaration in support of the *Seventh Joint Stipulation and [Proposed]*  
 2 *Order to Extend the Deadline Under Paragraph 15 of the Interim Model Protective Order* (the  
 3 “**Stipulation**<sup>1</sup>”).

4       3. As set forth in the Stipulation, because the Parties agree that certain material subject to  
 5 this Court’s Protective Order is relevant to the ongoing Adversary Proceeding, the Parties’ evidence  
 6 preservation obligations in the Adversary Proceeding conflict with the Parties’ obligations under  
 7 Paragraph 15 of this Court’s Protective Order.

8       4. Accordingly, pursuant to the Stipulation, the Parties jointly request that the obligations  
 9 under Paragraph 15 of the Protective Order be further extended in order to resolve this conflict and  
 10 maintain the preservation of evidence.

11       5. This is the seventh amendment to the Protective Order. The previous extensions of  
 12 time include the following:

- 13       a. On April 6, 2018, the parties filed a stipulation and proposed order extending  
 14 the deadline to comply with Paragraph 15 until June 11, 2018, citing the  
 15 pendency of related matters that impose document preservation obligations on  
 16 the parties that conflict with Paragraph 15’s requirements. The parties further  
 17 indicated that they “might hereafter request additional time if those obligations  
 18 have not been satisfied.” Dkt 2670.
- 19       b. The Court approved the stipulation and signed the proposed order on April 9,  
 20 2018. Dkt. 2671.
- 21       c. The Parties stipulated to five additional extensions of time in the ensuing  
 22 months, all of which the Court granted. Dkt. 2673, 2674, 2683, 2684, 2696,  
 23 2697, 2698, 2699, 2701, 2702.

24       6. The requested extension will have no impact on this lawsuit as the parties settled this  
 25 lawsuit, and a final disposition was entered on February 9, 2018. Dkt 2650, 2651.

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 28       1 Defined terms not otherwise defined herein have the meaning set forth in the Stipulation.

1 I declare under the penalty of perjury that the statements included in this Declaration are true  
2 and correct.

3 Executed on this 30th day of September 2020.

4  
5 */s/ Debra I. Grassgreen*  
Debra I. Grassgreen